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(Date of deposit)

160

Date: August 3, 1994By: Sidney J. WardM.W.
8/24/94

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

James M. Musser et al.

Serial No. 08/160,965

Filed: December 2, 1993

For: Streptococcus Pyogenes
Vaccine

Examiner: Unknown

Art Unit: Unknown

INFORMATION DISCLOSURE
STATEMENT TRANSMITTAL

Menlo Park, CA 94025

MAILED

AUG 12 1994

GROUP 1800

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- [X] an Information Disclosure Statement
- [X] a PTO 1449
- [X] copies of references listed on the PTO 1449 form

- [] English translation of foreign language reference(s)
- [] copy of foreign examination report
- [] English translation of foreign examination report
- [] Also transmitted is _____.

1. [X] This Information Disclosure Statement is filed before the later of:

- [] three months from the filing date of this national application;

three months from the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or

the mailing date of a first office action on the merits.

In accordance with 37 CFR 1.97(b), no fee is required.

2. This Information Disclosure Statement is filed after the events noted in paragraph 1, but before either:

(1) a final action under 37 CFR 1.113, or

(2) a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(c) also enclosed is:

a fee under 37 CFR 1.17 (p) in the amount of \$200.00; or

a certification as stated below.

3. This Information Disclosure Statement is filed before the payment of the issue fee, but after either:

(1) a final action under 37 CFR 1.113, or

(2) a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(d) also enclosed is:

(1) a certification, as stated below;

(2) a Petition requesting consideration of the Information Disclosure Statement; and

(3) the Petition fee set forth in 37 CFR 1.17(i)(1) in the amount of \$130.00.

Certification

The undersigned also states:

Each item of information contained in the Information Disclosure Statement cited herein was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or

[] No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

The fees indicated above are:

TOTAL FEES: \$ _____

- [] A check including the amount of the above indicated TOTAL FEES is attached.
- [X] Please charge Deposit Account No. 23-0796 in the amount of \$ _____.
- [] A check in the amount of \$ _____ is attached.
- [X] No fee is required.

[X] The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 23-0796:

[X] Any patent application processing fees under 37 CFR 1.17.

A duplicate copy of this sheet is attached for accounting purposes.

Respectfully submitted,

WEIL, GOTSHAL & MANGES

Date: July 28, 1994

By: Barbara Rae-Venter
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WEIL, GOTSHAL & MANGES
INFORMATION DISCLOSURE STATEMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: JAMES M. MUSSER
Serial No: 08/160,965
Filed: DECEMBER 2, 1993
For: STREPTOCOCCUS PYOGENES VACCINE

Docket No: BAYL-004/00 US
Group Art No:
Examiner:

MAILED

Commissioner of Patent and Trademarks, Application Processing Division
Washington, D.C. 20231

AUG 12 1994

GROUP 1800

INFORMATION DISCLOSURE STATEMENT

Applicants and the undersigned submit herewith documents of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

This Information Disclosure Statement is not intended to constitute an admission that any document referred to herein is "prior art" in relation to the claimed invention unless specifically designated as such. In accordance with 37 C.F.R. 1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 1.56(a) exists.

A list of the documents is set forth on the attached form PTO-1449. Enclosed is a copy of each of the listed documents.

Respectfully submitted,

Dated: July 28, 1994

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CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that the following paper and/or fee is being deposited with the United States Postal Service as First Class Mail in accordance with 37 C.F.R. 1.8 on the date indicated below, addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231

August 3, 1994
Date